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Tom Tiede

It's more than just finking on the boss

By TOM TIEDE

WASHINGTON — (NEA) — There are signs the Senate Subcommittee on Intelligence, now investigating the FBI and CIA, may be contemplating more than mild rebukes for the agencies' misdeeds. The tone of questions being asked some prospective subcommittee witnesses suggests the final report, if probe facts warrant, may call for wholesale restructuring of the bureaus to include tight new protections against abuses of power.

One man questioned by Senate panel staffers, former FBI agent Arthur Murtagh, has told them the restructuring is not only necessary it is feasible — at least so far as his former agency is concerned. Murtagh, now an attorney and college instructor in upstate New York, says he advised the subcommittee "I can restructure the FBI in 90 days so that somebody like Hoover could never again reign, and in fact nobody, clerk to executive, would risk doing anything that wasn't entirely correct."

Murtagh's simple plan would enlist every FBI employe in a campaign against agency lawbreaking. Bureau crimes do not occur in a vacuum, he says, "somebody somewhere along the line knows whenever something wrong is done, and my idea is to get them to blow the whistle." Murtagh envisions a bureau that polices itself, as well as the nation, "not a Gestapo, not at all, but people who will not allow wrongdoing to go on with impunity."

Actually, the plan is not revolutionary. Under longstanding U.S. law, and any number of historic American principles, the government bureaucracy is even now hypothetically established to

protect employes who report any evils of superiors. It's hard to imagine an impartial court ruling against any plaintiff who could prove job, pay or status recriminations resulting from his honest uncovering of federal mischief. Ideally, at least, employes are to be rewarded, not punished, for good conduct.

In fact though, the government does not always practice what the customary mores preach. The unemployment rolls have for 200 years been dotted with men and women who put principles above prudence and ratted on the boss. Ex-agent Murtagh, for one, while never losing his job, says he did at least suffer isolation as an agent with predilections for questioning bureau miscues:

"I just refused to go along with dishonesty. I was assigned to the squad that wiretapped Martin Luther King, for example, and I just flatly refused to do it. They couldn't do much to me, because I knew too much about them, but I was frozen in my grade (rank)."

To remedy such recriminations, Murtagh suggests congress write laws and set up apparatus whereby FBI employes could, "quickly and effectively," report charter infractions. He says chronic grippers must be discouraged, as well as meaningless vengefulness, but otherwise "the employe who genuinely believes something is amiss should be rigidly protected." Murtagh supposes the end result of the FBI restructuring would be a bureau where only the fools would risk evil and thus exposure.

"I know it would work," he adds, "because I know the people in the bureau. Basically, they are the finest people I've ever met. They want to be honest, they want to do the right thing, but without protections, and because the bureau is like it is, some of them are corrupted by the system. I know when I was in, if you wanted to stay honest, if you wanted to just do your job right, the cardinal rule was to stay away from headquarters; promotion to there sure to corrupt, and I remember a lot of men who, when asked, just refused promotion — for their own honesty."

While perhaps to a degree naive, Arthur Murtagh's plan has obvious merit. And if it could indeed work in the FBI, even if only a bit, it may be worth considering for other bureaucracies also. No doubt the proposal would fail to completely eliminate government crime, but it might help expose it more suddenly, and so check its spread, magnitude and, most of all, its damage.